

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NO.  
**59150.8010**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the invention entitled:

**VIRUS ENVELOPE VECTOR FOR GENE TRANSFER**

the specification of which (check only one item below):

is attached hereto.  
 was filed as United States application Serial No. \_\_\_\_\_ on \_\_\_\_\_,  
and was amended on \_\_\_\_\_, (if applicable)  
 was filed as PCT international application Number PCT/JP01/00782 on 02 February 2001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate, or of any PCT international application(s) having a filing date before that of the application(s) on which priority is claimed.

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:**

COUNTRY (If PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC §119
JP	2000-25596	02 February 2000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT application(s) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:**

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

**PCT APPLICATIONS DESIGNATING THE U.S.**

PCT APPLICATION NO.	PCT FILING DATE	U.S. Serial Nos. Assigned (if any)		
PCT/JP01/00782	02 February 2001			X

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Jerry A. Riedinger 30,582; Maurice J. Pirio 33,273; Michael D. Broaddus 41,637; Catherine Hong Tran 43,960; Robert G. Woolston 37,263; Paul T. Parker 38,264; John M. Wechkin 42,216; Christopher Daley-Watson 34,807; Steven D. Lawrence 37,376; James A. D. White 43,985; Edward S. Hotchkiss 33,904; James Nickelson 46,140; Mark A. Thomas 37,953; Breton A. Bocchieri 31,739; Barbara B. Courtney 42,442; Peter J. Dehlinger 28,006; Judy M. Mohr 38,563; LeeAnn Gorthey 37,337; Larry W. Thrower 47,994; Jacqueline F. Mahoney 48,390; Richard L. Gregory, Jr. 42,607; Michael C. Martensen 46,901, and Karen Y. Hui 44,785.

**COMBINED DECLARATION AND POWER OF ATTORNEY (CONTINUED)**  
 (Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NO.  
**59150-8010**

Send Correspondence to: <u>Perkins Coie LLP</u> <u>P.O. Box 2168</u> <u>Menlo Park, CA 94026</u>			Direct Telephone Calls to: <u>Jacqueline F. Mahoney</u> <u>(650) 838-4410</u>	
2 0 1	FULL NAME OF INVENTOR	FAMILY NAME <u>Kaneda</u>	FIRST GIVEN NAME <u>Yasufumi</u>	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY <u>Osaka</u>	STATE OR FOREIGN COUNTRY <u>Japan</u>	COUNTRY OF CITIZENSHIP <u>Japan</u>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>6-12-8, Onoharahigashi</u> <u>Mino-shi</u>	CITY <u>Osaka 562-0031</u>	STATE & ZIP CODE/COUNTRY <u>Japan</u>
2 0 2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
2 0 3	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>				
<p><b>SIGNATURE OF INVENTOR 201</b></p> <p>Date: <u>January 21, 2002</u> Signature: </p>				
<p><b>SIGNATURE OF INVENTOR 202</b></p> <p>Date: _____ Signature: _____</p>				
<p><b>SIGNATURE OF INVENTOR 203</b></p> <p>Date: _____ Signature: _____</p>				

09/937,839

10 Rec'd PCT/PTO 21 FEB 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: February 4, 2002

By: Jynne Anderson

Docket No. 59150.8010

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:**

Yasufumi Kaneda

SERIAL NO.: 09/937,839

FILED: September 28, 2001

FOR: **VIRUS ENVELOPE VECTOR FOR GENE  
TRANSFER**

EXAMINER: Unknown

ART UNIT: Unknown

**Power of Attorney by Assignee and Certification**  
**Under 37 CFR §3.73(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, the undersigned, acting on behalf of the Assignee a fifty percent (50%) undivided share of the entire right, title and interest in the above-identified patent application, appoint the attorneys and agents listed below to prosecute this application and transact all business with the U.S. Patent and Trademark Office in connection therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 CFR 3.71.

All prior powers of attorney for this application are hereby revoked. The Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; MICHAEL D. BROADDUS, Registration No. 41,637; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; EDWARD S. HOTCHKISS, Registration No. 33,904; JAMES NICKELSON, Registration No. 46,140; MARK A. THOMAS, Registration No. 37,953; BRETON A. BOCCIERI, Registration No. 31,739; BARBARA B. COURTNEY, Registration No. 42,442; PETER J. DEHLINGER, Registration

20230-6227620

No. 28,006; LEEANN GORTHEY, Registration No. 37,337; RICHARD L. GREGORY, JR., Registration No. 42,607; MICHAEL C. MARTENSEN, Registration No. 46,901; JUDY M. MOHR, Registration No. 38,563; LARRY W. THROWER, Registration No. 47,994; and JACQUELINE F. MAHONEY, Registration No. 48,390; and KAREN Y. HUI, Registration No. 44,785, all affiliated with Perkins Coie LLP.

Direct all telephone calls to Jacqueline F. Mahoney at (650) 838-4410. Address all correspondence to:

**Perkins Coie LLP**  
**P.O. Box 2168**  
**Menlo Park, CA 94026**  
**Telephone: (650) 838-4300**  
**Customer No. 22918**

In accordance with 37 CFR 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee, as evidenced by the Assignment noted above.

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC §1001 and that such willful false statements may jeopardize the validity of the this application or any patent resulting therefrom.

ASSIGNEE: MedGene Bioscience, Inc.  
Signature: Ei Yamada  
Typed Name: Ei Yamada  
Title: VIRUS ENVELOPE VECTOR FOR GENE TRANSFER  
Date: January 21, 2002  
Address: 24-C-1101, Kamishinden 1-chome  
Toyonaka-shi Osaka 560-0085 Japan